Application No.: 09/582,216
Amendment Dated: August 22, 2003
Reply to Decision on Appeal: June 24, 2003

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS

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Claims 1-8 and 15 (Canceled)

9. (Currently Amended) An aqueous composition, comprising:

A) 10 to 50% by weight of a polymer having a gel content of 5 to 40% by weight and a number-average molecular weight, Mn, of a tetrahydrofuran-soluble fraction of less than 30,000; and

wherein said polymer comprises from 60 to 100% by weight of a C_1- to C_{20}-alkyl (meth)acrylate or mixture of at least two C_1- to C_{20}-alkyl (meth)acrylates, based on a total weight of said polymer; and

B) 50 to 90% by weight of a filler;

wherein the amount of said polymer and the amount of said filler are based on the weight sum of the polymer and of the filler; and

wherein said filler is selected from the group consisting of a chalk having an average particle diameter of from 2 to 50 μm, a quartz flour having an average particle diameter of from 3 to 50μm and a combination thereof;

wherein said polymer further comprises a monomer unit selected from the group consisting of a C_1-C_{10}-hydroxyalkyl (meth)acrylate, a (meth)acrylamide and its N-C_1-C_4-alkyl-substituted derivative, an ethylenically unsaturated carboxylic acid, a dicarboxylic acid,

a monoester of a dicarboxylic acid and an anhydride a dicarboxylic acid.

10. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein said C_1- to C_{20}-alkyl (meth)acrylate is present in an amount of from 80 to 100% by weight in said polymer.

11. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein said C_1- to C_{20}-alkyl (meth)acrylate is present in an amount of from 90 to 99.8% by weight in said polymer.

12. (Previously Presented) The aqueous composition as claimed in Claim 9, having 10 to 45% by weight of said polymer and 55 to 90% by weight of said filler.

13. (Previously Presented) The aqueous composition as claimed in Claim 9, having 60 to 85% by weight of said filler.

14. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein said polymer comprises at least one monomer unit selected from the group consisting of a C_1-C_{20}-alkyl (meth)acrylate, a vinyl ester of a carboxylic acid having up to 20 carbon atoms, a vinylaromatic compound having up to 20 carbon atoms, an ethylenically unsaturated nitrile, a vinyl halide and a nonaromatic hydrocarbon having at least 2 conjugated double bonds.

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16. (Currently Amended) The aqueous composition as claimed in Claim ~~15~~ 9, wherein said monomer unit is present in an amount of from 0 to 40% by weight.

17. (Currently Amended) The aqueous composition as claimed in Claim ~~15~~ 9, wherein said monomer unit is present in an amount of from 0 to 20% by weight.

18. (Currently Amended) The aqueous composition as claimed in Claim ~~15~~ 9, wherein said monomer unit is present in an amount of from 0.2 to 10% by weight.

19. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein the gel content is more than 5% and less than 20% by weight.

20. (Previously Presented) The aqueous composition as claimed in Claim 9, where the polymer is present in the form of an aqueous dispersion with a concentration of from 40 to 75%.

21. (Previously Presented) The aqueous composition as claimed in Claim 9, where a content of a volatile organic compound having a boiling point at 1 bar of less than 300°C is less than 0.5% by weight, based on said aqueous composition.

22. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein a glass transition temperature of the polymer is from -50°C to +20°C.

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23. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein said polymer has a glass transition temperature of from -35 to 20°C.

24. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein said polymer has a glass transition temperature of from -30 to 0°C.

25. (Previously Presented) The aqueous composition as claimed in Claim 9, wherein said polymer has a glass transition temperature of from -28 to -5°C.

26. (Previously Presented) The aqueous composition as claimed in Claim 9, further comprising at least one component selected from the group consisting of a wetting agent, a dispersant, a defoamer and a preservative.

27. (Previously Presented) A method of adhering a floor covering, comprising:

applying the aqueous composition as claimed in Claim 9 to said floor covering; and

installing the floor covering.

28. (Previously Presented) The method of Claim 27, wherein said floor covering is

selected form the group consisting of a carpet made of polyvinyl chloride, a floor covering made of polyvinyl chloride, a foam covering with a textile backing, a polyester nonwoven, a rubber covering, a textile covering with a backing of polyurethane foam, styrene-butadiene foam, or a secondary textile backing, a needlefelt floor covering, a polyolefin covering, and a linoleum covering.

29. (Previously Presented) A method of adhering a floor covering, comprising:

a step of applying the aqueous composition as claimed in Claim 9 to said floor covering; and

a step of installing the floor covering.

30. (Previously Presented) The method of Claim 29, wherein said floor covering is selected form the group consisting of a carpet made of polyvinyl chloride, a floor covering made of polyvinyl chloride, a foam covering with a textile backing, a polyester nonwoven, a rubber covering, a textile covering with a backing of polyurethane foam, styrene-butadiene foam, or a secondary textile backing, a needlefelt floor covering, a polyolefin covering, and a linoleum covering.

31. (Previously Presented) A method of bonding a substrate, comprising:

applying the aqueous composition as claimed in Claim 9 to said substrate; and

bonding the substrate to a carrier.

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32. (Previously Presented) The method of Claim 31, wherein said substrate is selected from the group consisting of wood, concrete, a ceramic tile, and a metal substrate.

33. (Previously Presented) A method of bonding a substrate, comprising:

a step of applying the aqueous composition as claimed in Claim 9 to said substrate; and

a step of bonding the substrate to a carrier.

34. (Previously Presented) The method of Claim 33, wherein said substrate is selected from the group consisting of wood, concrete, a ceramic tile, and a metal substrate.

35. (Previously Presented) A substrate, coated with an aqueous composition as claimed in Claim 9.

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36. (New) An aqueous composition, comprising:

A) 10 to 50% by weight of a polymer having a gel content of 5 to 40% by weight and a number-average molecular weight, Mn, of a tetrahydrofuran-soluble fraction of less than 30,000; and

wherein said polymer comprises from 60 to 100% by weight of a C_1- to C_{20}-alkyl (meth)acrylate or mixture of at least two C_1- to C_{20}-alkyl (meth)acrylates, based on a total

weight of said polymer; and

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B) 50 to 90% by weight of a filler;

wherein the amount of said polymer and the amount of said filler are based on the weight sum of the polymer and of the filler; and

wherein said filler is selected from the group consisting of a chalk having an average particle diameter of from 2 to 50 μm, a quartz flour having an average particle diameter of from 3 to 50μm and a combination thereof;

wherein a content of a volatile organic compound having a boiling point at 1 bar of less than 300°C is less than 0.5% by weight, based on said aqueous composition.

37. (New) The aqueous composition as claimed in Claim 36, wherein said C_1- to C_{20}-alkyl (meth)acrylate is present in an amount of from 80 to 100% by weight in said polymer.

38. (New) The aqueous composition as claimed in Claim 36, wherein said C_1- to C_{20}-alkyl (meth)acrylate is present in an amount of from 90 to 99.8% by weight in said polymer.

39. (New) The aqueous composition as claimed in Claim 36, having 10 to 45% by weight of said polymer and 55 to 90% by weight of said filler.

40. (New) The aqueous composition as claimed in Claim 36, having 60 to 85% by weight of said filler.

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41. (New) The aqueous composition as claimed in Claim 36, wherein said polymer comprises at least one monomer unit selected from the group consisting of a C_1-C_{20}-alkyl (meth)acrylate, a vinyl ester of a carboxylic acid having up to 20 carbon atoms, a vinylaromatic compound having up to 20 carbon atoms, an ethylenically unsaturated nitrile, a vinyl halide and a nonaromatic hydrocarbon having at least 2 conjugated double bonds.

42. (New) The aqueous composition as claimed in Claim 36, wherein said polymer further comprises a monomer unit selected from the group consisting of a C_1-C_{10}-hydroxyalkyl (meth)acrylate, a (meth)acrylamide and its N-C_1-C_4-alkyl-substituted derivative, an ethylenically unsaturated carboxylic acid, a dicarboxylic acid, a monoester of a dicarboxylic acid and an anhydride a dicarboxylic acid.

43. (New) The aqueous composition as claimed in Claim 42, wherein said monomer unit is present in an amount of from 0 to 40% by weight.

44. (New) The aqueous composition as claimed in Claim 42, wherein said monomer unit is present in an amount of from 0 to 20% by weight.

45. (New) The aqueous composition as claimed in Claim 42, wherein said monomer unit is present in an amount of from 0.2 to 10% by weight.

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46. (New) The aqueous composition as claimed in Claim 36, wherein the gel content is more than 5% and less than 20% by weight.

47. (New) The aqueous composition as claimed in Claim 36, where the polymer is present in the form of an aqueous dispersion with a concentration of from 40 to 75%.

48. (New) The aqueous composition as claimed in Claim 36, wherein a glass transition temperature of the polymer is from -50°C to +20°C.

49. (New) The aqueous composition as claimed in Claim 36, wherein said polymer has a glass transition temperature of from -35 to 20°C.

50. (New) The aqueous composition as claimed in Claim 36, wherein said polymer has a glass transition temperature of from -30 to 0°C.

51. (New) The aqueous composition as claimed in Claim 36, wherein said polymer has a glass transition temperature of from -28 to -5°C.

52. (New) The aqueous composition as claimed in Claim 36, further comprising at least one component selected from the group consisting of a wetting agent, a dispersant, a

defoamer and a preservative.

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53. (New) A method of adhering a floor covering, comprising:

applying the aqueous composition as claimed in Claim 36 to said floor covering; and installing the floor covering.

54. (New) The method of Claim 53, wherein said floor covering is selected form the group consisting of a carpet made of polyvinyl chloride, a floor covering made of polyvinyl chloride, a foam covering with a textile backing, a polyester nonwoven, a rubber covering, a textile covering with a backing of polyurethane foam, styrene-butadiene foam, or a secondary textile backing, a needlefelt floor covering, a polyolefin covering, and a linoleum covering.

55. (New) A method of adhering a floor covering, comprising:

a step of applying the aqueous composition as claimed in Claim 36 to said floor covering; and

a step of installing the floor covering.

56. (New) The method of Claim 55, wherein said floor covering is selected form the group consisting of a carpet made of polyvinyl chloride, a floor covering made of polyvinyl chloride, a foam covering with a textile backing, a polyester nonwoven, a rubber covering, a textile covering with a backing of polyurethane foam, styrene-butadiene foam, or a secondary

textile backing, a needlefelt floor covering, a polyolefin covering, and a linoleum covering.

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57. (New) A method of bonding a substrate, comprising:

applying the aqueous composition as claimed in Claim 36 to said substrate; and bonding the substrate to a carrier.

58. (New) The method of Claim 57, wherein said substrate is selected from the group consisting of wood, concrete, a ceramic tile, and a metal substrate.

59. (New) A method of bonding a substrate, comprising:

a step of applying the aqueous composition as claimed in Claim 36 to said substrate; and

a step of bonding the substrate to a carrier.

60. (New) The method of Claim 59, wherein said substrate is selected from the group consisting of wood, concrete, a ceramic tile, and a metal substrate.

61. (New) A substrate, coated with an aqueous composition as claimed in Claim 36.

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BASIS FOR THE AMENDMENT

Claims 15 has been canceled. The limitations of Claim 15 have been included in independent Claim 9.

New Claims 36-61 have been added. New Claim 36 is supported by Claims 9 and 21 as originally filed. Claims 37-61 are supported by Claims 9-20 and 22-35 as originally filed.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 9-14 and 16-61 will now be active in this application.